

**ENTERED**

March 15, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

JESUS MONTALVO-RODRIGUEZ,

Petitioner,

VS.

LORIE DAVIS, *et al*,

Respondents.

§  
§  
§  
§  
§  
§  
§

CIVIL NO. 2:18-CV-153


**ORDER**

The Court is in receipt of Respondent Lorie Davis' ("Davis") Motion to Dismiss, Dkt. No. 12; Petitioner's Response to Davis' Motion to Dismiss, Dkt. No. 13; Respondent L. Shults' ("Shults") Motion for Summary Judgment, Dkt. No. 23; Petitioner's Response to Shults' Motion for Summary Judgment, Dkt. No. 24; the Magistrate Judge's Memorandum and Recommendation ("M&R") to dismiss case, Dkt. No. 25; and Petitioner's Objections to the M&R, Dkt. No. 26.

After independently reviewing the record, the filings, and applicable law, the Court **ADOPTS** the M&R, Dkt. No. 25. Accordingly, the Court **GRANTS** Davis' Motion to Dismiss, Dkt. No. 12, and **GRANTS** Shults' Motion for Summary Judgment, Dkt. No. 23. The Court **DISMISSES** the above-captioned case.

Final judgment will be entered separately.

SIGNED this 14th day of March, 2019.



Hilda Tagle  
Senior United States District Judge